

REMARKS

Applicant thanks Examiner Aggarwal for the telephone interviews on or about January 21 and January 26, 2011. To reflect the agreement reached, claims 37, 39, 44, 49, 55, and 56 have been amended; claims 38-40, 45-46, and 50 have been canceled without prejudice or disclaimer; and claims 57-66 have been added.

35 U.S.C. § 112(1) Rejection

Claims 37 and 49 were rejected under § 112, first paragraph. As discussed, support for “display[ing] the processed image using a predetermined image format size of the first destination” is found in the specification at least at pages 29-30, which provides:

For example, one or more templates may be operably associated with a destination and as such image information and other associated information may be formatted and communicated to a specific destination based on a template. In this manner, image information may be communicated to plural destinations based on a predetermined format. For example, image information may be resized, compressed, filtered, placed within an HTML page, etc. for one or more destinations.

Specification, p. 29, ln. 28 through p. 30, ln. 7.

35 U.S.C. §103 Rejection

Claims 37-40, 44, 45, 47, 49, 50, 55, and 56 were rejected under §103(a) over U.S. Patent No. 6,762,791 to Schuetzle in view of U.S. Patent No. 6,715,003 to Safai. The Examiner asserted that Safai teaches at various places an image format size (change in magnification) of the first end use process reference (printing) to display the processed image using a predetermined image format size of the first destination (image is displayed according to the change in size due to magnification and then sent for printing at the first destination). Office Action at 5. However, the image format size here is not a predetermined one of the destination. Moreover, independent claims 37 and 49 have been amended to recite that in response to identifying the user, a first communication of the processed digital image is initiated over the wireless network such that the first destination may display the processed digital image. As agreed, the claims are now allowable.

New Claims

Claims 57-61 have been added, and depend directly or indirectly from claim 37. Claims 62-66 have been added, and depend directly or indirectly from claim 49. Besides adding additional features, these new claims are allowable at least because they depend from an independent claim that the Examiner has agreed is allowable.

CONCLUSION

As agreed, this application is in condition for allowance. The Examiner is invited to telephone the undersigned with any further questions. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

/timothy g newman/
Timothy G. Newman; Reg. No. 34,228
LARSON NEWMAN & ABEL, LLP
5914 West Courtyard Dr., Suite 200
Austin, Texas 78730
(512) 439-7100 (phone)
(512) 439-7199 (fax)

02/21/2011
Date